

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff

v.

PAIGE A. THOMPSON,
Defendant.

NO. CR19-159 RSL

GOVERNMENT'S RESPONSE TO
DEFENDANT'S MOTION TO PERMIT
OUT-OF-DISTRICT TRAVEL

Paige Thompson was convicted of numerous violations of the Computer Fraud and Abuse Act and is serving a three-year sentence of home detention with electronic monitoring imposed as a condition of supervision. Dkt. 386. She is restricted to her residence at all times, except for legal, medical, or employment purposes, or for other exceptions approved by U.S. Probation's location monitoring specialist. *Id.* Thompson's conditions of supervision also include a requirement that she comply with Probation's Computer Monitoring Program and notify Probation about all electronic devices and software that she owns or operates. *Id.*

Thompson asked her location monitoring specialist to authorize a one-week furlough from home detention in August 2023 so she can attend DEF CON, the world's

1 largest annual hacker convention, held in Las Vegas, Nevada. Probation denied
2 Thompson's request. Thompson now moves the Court to authorize the trip over
3 Probation's objection. The Court should deny Thompson's motion.

4 Probation opposes Thompson's travel request because, in the nine months that
5 Thompson has been on supervision, she has not obtained employment, has resisted
6 mental health treatment, has completed only a small percentage of the annual community
7 service hours ordered by the Court (and fewer than the target number of hours per month
8 she proposed to Probation as achievable for her), and has not paid any money toward her
9 restitution obligations. Dkt. 404. Probation is also concerned about Thompson spending
10 money to travel when she says she is unable to pay any amount of money toward
11 restitution.

12 The government agrees with Probation. A week-long out-of-state trip with no
13 oversight is not an appropriate response to the concerns Probation has raised about
14 Thompson's limited engagement and efforts on supervision. Even if Thompson's
15 roommate will cover her travel expenses, it is troubling that Thompson can find the
16 financial means for travel but not for restitution.

17 Furthermore, while it is true that DEF CON is attended by a wide variety of
18 computer security professionals, including private industry and law enforcement, it is
19 also a self-described hacker convention. According to DEF CON's Frequently Asked
20 Questions (FAQs) page, "Sure there is a lot of socializing you can do, but technology and
21 hacking is the core of the con."¹ It will be impossible for Probation to monitor
22 Thompson's conduct at the convention, which means that, for an entire week, Thompson
23 would have complete freedom and unlimited, unmonitored computer and Internet access.
24 Allowing Thompson to attend a week-long celebration of hacking in Las Vegas while she
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26

27 ¹ www.defcon.org (last visited June 27, 2023).

1 is serving a home-detention sentence for hacking crimes hardly reinforces a message of
2 accountability or deterrence.

3 Thompson's request is particularly troubling because, last year, Pretrial Services
4 actually allowed Thompson to attend DEF CON, and Thompson's trip revealed violations
5 of conditions of her pretrial supervision, and then led to her lying to Pretrial Services. As
6 noted in the government's sentencing memorandum, Dkt. 377 at 12-13, on her return
7 flight, Thompson ended up seated near Waymon Ho, the forensic computer scientist in
8 this case. Ho overheard Thompson (1) tell a neighbor that she ran an Internet Relay Chat
9 (IRC), (2) offer to connect with the neighbor on Discord (an instant messaging social
10 media platform), and (3) discuss playing video games that typically are played online
11 with others. All of this computer usage violated the terms of Thompson's pretrial
12 supervision, which allowed Thompson to be online only for job-seeking or employment
13 activity. And, when Pretrial Services confronted Thompson about her activity,
14 Thompson denied it. Thompson's dishonesty relating to her prior trip to DEF CON
15 counsels strongly against again allowing Thompson to attend DEF CON, free from
16 supervision.

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1 For the foregoing reasons, the government joins Probation in opposing
2 Thompson's request to attend DEF CON in Las Vegas.

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4 DATED this 29th day of June, 2023.

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6 Respectfully submitted,

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